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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,263	10/17/2003	Yehuda Cern	2147.012USU3	2217

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EXAMINER

CHU, MICHAEL

ART UNIT PAPER NUMBER

2618

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/688,263

Applicant(s)

CERN, YEHUDA

Examiner

Michael Chu

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/17/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belsak, Jr. (US Patent# 6,993,317) in view of Fong (US Patent# 3,973,087).

Consider Claim 1. Belsak, Jr. teaches a system for communications on a bi-directional medium (Col. 1, lines 14-17, Abstract, lines 1-13), comprising:

a first repeater, a second repeater, a third repeater and a fourth repeater, each of which is coupled to said medium (Col. 2, lines 16-30, Col. 1, lines 40-47, See Parts 71-76, L1 of Figure 3, Col. 4, lines 39-67, Col. 5, lines 1-8), where a plurality of repeaters are used along a main power line L1 in a power line communications network,

wherein said first repeater and said second repeater communicate with each other for a transmission from said first repeater to said second repeater, and for a transmission from said second repeater to said first repeater (Col. 4, lines 39-51, See Parts 71-76, L1 of Figure 3, Col. 2, lines 16-30),

wherein said second repeater and said third repeater communicate with each other for a transmission from said second repeater to said third repeater, and for a transmission from said third repeater to said second repeater (Col. 4,

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lines 46-58, Col. 5, lines 40-45, See Parts 71-76, L1 of Figure 3, Col. 2, lines 16-30), and

wherein said third repeater and said fourth repeater communicate with each other for a transmission from said third repeater to said fourth repeater, and for a transmission from said fourth repeater to said third repeater (Col. 4, lines 53-63, Col. 5, lines 9-25, lines 36-39, See Parts 71-76, L1 of Figure 3, Col. 2, lines 16-30).

Although Belsak, Jr. teaches a system for communications on a bi-directional medium (Col. 1, lines 14-17, Abstract, lines 1-13), Belsak, Jr. does not specifically teach the system of using a first band, a second band, a third band, and a fourth band for transmissions in a repeater system. However, in related art, Fong teaches first receiving means for receiving a signal in a first band of frequencies (Col. 46, lines 10-12, Abstract, lines 3-6), utilizing a second band of frequencies (Col. 46, lines 16-20, Abstract, lines 3-6), receiving a signal in a third band of frequencies (Col. 46, lines 21-23, Abstract, lines 3-6), and utilizing a fourth band of frequencies (Col. 46, lines 25-27, Abstract, lines 3-6) in a two-way communication system using a power line distribution network as a communication medium (Col. 3, lines 16-31, Abstract, lines 1-6, Col. 46, lines 3-6). Therefore, it would have been obvious at the time of the invention to combine the teachings of Belsak, Jr. and Fong in order to improve the performance of transmission and data access functions adapted for use on a power line distribution network by bridging transmission barriers.

Consider Claim 2, in regards to claim 1 above. Belsak, Jr., as modified by Fong, teaches the system wherein said medium is a power line (Col. 1, lines 7-10, lines 14-17, Abstract, lines 1-13).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee (US Patent# 6,985,715) teaches an apparatus for receiving and transmitting RF signals using power lines as a communication medium, translating signals from one frequency to another to avoid interference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Chu whose telephone number is 571-272-7875. The examiner can normally be reached on Monday-Friday (8:30am-5pm).

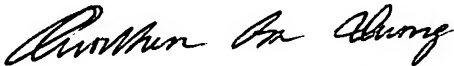
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Chu  
Examiner  
Art Unit 2618

MC 08/17/2006

 8/21/06

QUOCHIEN B. VUONG  
PRIMARY EXAMINER